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In re Application of
Christof CALLSEN et al
Application No.: 09/700,371
PCT No.: PCT/EP99/02990
Int. Filing Date: 03 May 1999
Priority Date: 15 May 1998
Attorney's Docket No.: 225/49317
For: EXPANSION LANCE ASSEMBLY

DECISION ON
RENEWED PETITION
UNDER 37 CFR 1.181

This decision is responsive to applicants' "RENEWED PETITION TO THE COMMISSIONER UNDER 37 CFR 1.181(a)(3)" filed 06 November 2001.

BACKGROUND

In a decision from this Office on 15 October 2000, the petition filed on 20 August 2001 was dismissed. The decision stated that petitioner had not met the requirements under MPEP section 711.03(c) to establish nonreceipt of an Office action.

On 20 August 2001, applicants filed a renewed petition, accompanied with a photocopy of the docket report for January 14, 2001.

DISCUSSION

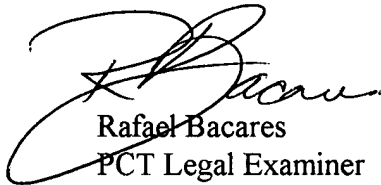
A review of the January 14, 2001 docket report showing all replies docketed for a date of one month from the 14 December 2000 mail date of the Notification and this shows that the Notification was not received by applicants' representative. Accordingly, this showing overcomes the presumption that applicants did receive the Notification, and withdrawal of abandonment of the above application is appropriate.

CONCLUSION

The petition under 37 CFR 1.181 is **GRANTED** without prejudice.

The NOTIFICATION OF ABANDONMENT, mailed 06 August 2001 is VACATED.

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision, that is, for issuance of a Notification of Acceptance of Application (Form PCT/DO/EO/903) identifying a 35 U.S.C. § 371 date of 20 August 2001.



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